

REGISTRATION FORM

Insolvency and the Architects

CONTINUING
PROFESSIONAL
DEVELOPMENT
PROGRAMME



Name _____ [] SIA M [] BOA/CIJC M [] NM

NRIC No. _____ SIA Membership No. _____

CIJC Membership No. _____ BOA Reg No. _____
(Pls specify Institution)

Company _____

Address _____ (S) _____

Tel _____ Fax _____

Contact Person _____

Bank/Cheque No. _____ Amount \$ _____

Please forward your registration form and crossed cheque payable to "Singapore Institute of Architects" by 18 March 2005 to:

✉ Ms Jasmine Chan
Singapore Institute of Architects
79B Neil Road
Singapore 088904

☒ Registration will be on a **FIRST-COME-FIRST-SERVED BASIS** and will be accepted upon receipt of registration form and payment. Faxed-in registration will only be confirmed upon receipt of cheque payment to the Institute.

☒ Please do not combine this cheque payment with any other SIA seminars/courses.

☒ Fees paid are non-refundable under any circumstances. However, notified replacements will be allowed if only notification of replacement is 7 days in advance. Failing which, no replacement will be allowed.

☒ In the case of a non-member replacing a member (must be within the same company), the non-member will have to pay the fee difference to the Institute prior to the commencement of the course.

CLOSING DATE

18 March 2005

For enquiries, please call

Ms Jasmine Chan at

Tel: 62262668 Fax: 62262663

FOR OFFICIAL USE

Date : Ref :

Attn : Senior Partners/Directors of SIA Member Firms
All SIA Members
Circular No: 2005/009/msmf/jc
Date : 03 February 2005
Professionals of the Construction Industry

Singapore Institute of Architects (SIA)

presents

Insolvency and the Architects

Date : Friday, 1 April 2005
Time : 2.30pm to 5.10pm
(Registration will begin at 2.00pm)
Venue : Civil Service College
Seminar Room 1, Level 3
31 North Buona Vista Road
Singapore 275983

SEMINAR FEE

SIA Member (SIA M)	S\$ 73.50 (GST included)
BOA / CIJC Member (BOA / CIJC M)	S\$ 110.25 (GST included)
Non Member (NM)	S\$ 147.00 (GST included)

ACCREDITATION

A Singapore Institute of Architects (SIA) registered activity. Participating in this activity will accrue 3 points towards the requirements of the SIA Continuing Programme.

Registered as a CES (Continuing Education System) Provider of American Institute of Architects (AIA). Participation in this activity will accrue Learning Unit Hours.

Supported by the Royal Institute of British Architects (RIBA) as valid CPD Hours for its members.



Insolvency and the Architects

Synopsis

The topic of insolvency in the construction industry has been with us for some time. Whilst an insolvent contractor is unlikely to be appointed as a contractor, an appointed contractor may become insolvent during the contract period before the completion of the contract. Under the SIA form of building contract, the contract is automatically terminated when the contractor becomes insolvent as prescribed whereas under the PSSCOC, the insolvency of the contractor is a ground for the Employer to consider termination.

The Architect in the SIA form and the SO in the PSSCOC is charged with the duty to determine whether a contractor is insolvent for the purpose of termination under the respective contracts. The Architect in the SIA form experiences a greater difficulty because the provision provides for an automatic termination of the contract. A perennial question would be what if the Architect carries on the contract unaware that the contractor is insolvent? Can he be negligent?

In addition, the Architect and the SO have to provide for post-termination contract administration in respect of an insolvent contractor. He may have to contend with a receiver, a judicial manager or a liquidator as regards whether the contractor will carry on with the contract or a possible novation of the contract to another contractor, the materials and equipment that are on site, possible direct payment to sub-contractors and suppliers, and even performance bond.

Arising from the above, the Architect and SO must inform himself of the following issues set out in Papers 1 and 2 below:

Paper 1 - Understanding Insolvency and its Consequences

- defining insolvency
- symptoms of insolvency
- consequences of insolvency

Paper 2 - Impact of Insolvency on Termination under SIA and PSSCOC

- grounds for termination
- performance bond
- materials & equipment on site
- payment to sub-contractors and suppliers
- novation contract

Speaker's Profile

Dr Philip Chan is an Associate Professor with the Department of Building, School of Design and Environment, National University of Singapore. He is the Deputy Head (Finance and Administration) and the Programme Director of the joint KCL-NUS MSc (Construction Law and Arbitration) programme. In addition, he teaches in the MSc (Project Management) programme as well as the March programme.

Outside the university, Dr Chan holds the appointment of the Deputy President of the Strata Titles Board. He is also one of two general editors of the forthcoming Asia International Arbitration Journal.

He practises under the law firm of Messrs Philip CF Chan. He is also the former Executive Director and Registrar of the Singapore International Arbitration Centre and is a practising arbitrator. He has been invited by several public and private organisations to give talks and carry out in-house training on matters of construction law including the use of standard form of building contracts and arbitration. In this respect, he has presented more than 100 papers.

He had graduated with a Diploma in Building from the Singapore Polytechnic in 1976 and worked in the construction industry. He went on to obtain his LLB and LLM from the University of London. Recently, he completed his PhD under the supervision of Duncan Wallace QC. The title of his thesis is "The Development of Construction Law in Singapore".

His research interest, publication and practice are in the areas of construction law and arbitration. The International Construction Law Review has published several of his papers. He has co-written three books. They are Halsbury's Laws of Singapore Volume 2 in the Building and Construction section, the Public Sector Standard Conditions of Contract : A Commentary; and the Construction Law Casebook Volumes 1 and 2. On his own, he has written the Commonwealth Construction Cases : A Singapore Perspective and the Casebook on Insolvency and the Construction Industry which was released in December 2004.

Programme

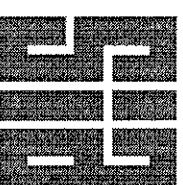
2.00pm	Registration
2.30pm	Welcome Address by SIA
2.35pm	Understanding Insolvency and its Consequences
3.20pm	Coffee Break
3.50pm	Impact of Insolvency on Termination under SIA and PSSCOC
4.40pm	Questions & Answers
5.10pm	End

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